

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

**May 15, 2008 AMENDMENTS TO
ECF ADMINISTRATIVE PROCEDURES**

The United States District Court for the District of New Hampshire has amended its ECF Administrative Local Rules effective 5/15/08. New matter is underlined; matter to be stricken is crossed out. The ***** denotes omitted text before and/or after the pertinent rule section.

1.1 General Rules

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(b) **Effective Date.** Effective June 1, 2004, as amended ~~October 1, 2006~~ May 15, 2008.

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2.3 Format and Quality Control

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(b) **PDF Documents Exceeding Three Megabytes.** No individual PDF document exceeding 3 megabytes will be accepted in ECF. Any individual PDF document exceeding 3 megabytes must be ~~submitted~~ divided into separate PDF documents in separate segments of less than 3 megabytes. Individual PDF ~~Documents~~ that exceed 10 megabytes shall not be electronically filed, but instead shall be submitted on a compact disk. If an individual PDF document exceeds 10 megabytes and is an attachment/non-trial exhibit, it shall be submitted consistent with AP 2.5(d).

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(i) **Hyperlinks.** Electronically filed documents may contain the following types of hyperlinks:

- (1) Hyperlinks to other portions of the same document; ~~and~~
- (2) Hyperlinks to other documents filed within the CM/ECF system; and

- (23) Hyperlinks to a location on the Internet that contains a source document for a citation.

~~Hyperlinks to other documents filed within the CM/ECF system are not permitted.~~

Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the filed document. Neither a hyperlink, nor any site to which it refers, shall be considered part of the record, but are simply convenient mechanisms for accessing material cited in a filed document.

The court accepts no responsibility for, and does not endorse, any product, organization, or content at any hyperlinked site, or at any site to which that site may be linked. The court accepts no responsibility for the availability or functionality of any hyperlink.

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2.8 Service of Electronically Filed Documents

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(b) Electronic Service Defined. Pursuant to Federal Rule of Civil Procedure 5(d) and Federal Rule of Criminal Procedure 49(b), receipt of the Notice of Electronic Filing generated by the court's ECF system shall constitute the equivalent of service of the pleading or other paper on Filing Users and shall be deemed to satisfy the requirements of Federal Rules of Civil Procedure 5(b)(2)(~~D~~)(E) and 77(d)(1) and Federal Rule of Criminal Procedure 49(b).

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2.9 ~~Cases Referred to or from Rhode Island and Maine~~ [reserved]

~~The following shall govern cases referred to or from the Districts of Rhode Island or Maine pursuant to LR 77.5:~~

~~(a) Cases Referred to or from the District of Maine.~~ If the case is initiated after May 1, 2005, the parties must file all documents in the originating district, in accordance with that district's ECF rules and administrative procedures, and need not file any documents in the designated district.

~~(b) Cases Referred to or from the District of Rhode Island.~~ The parties must conventionally file all original documents in the originating district. The parties must also conventionally file copies of all filings in the designated district. The case caption of all filings must reflect both case numbers.

4.2 Transcripts of Federal Courtroom Proceedings in this District

~~(a) **Proceedings of this Court.** A certified transcript of a proceeding of this court shall be filed in the traditional manner by the court reporter. The transcript will be maintained in paper format in the clerk's office.~~

The following shall apply to all transcripts filed after May 15, 2008.

(a) Electronic Filing of Original Transcripts. All original transcripts shall be filed conventionally in the clerk's office as well as electronically in CM/ECF, which shall generate a Notice of Electronic Filing of a Transcript to be served on the parties.

(b) Obligation to Review Transcripts for Personal Identifiers . Within twenty-one (21) days after the date on the Notice of Electronic Filing of a Transcript, any party who purchased an original or a copy of the transcript shall:

(1) Review the transcript to determine whether it contains any personal identifiers listed in Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1, whichever is applicable, and

(2) Electronically file a Transcript Redaction Request if that party concludes the transcript contains personal identifiers that must be redacted.

Any party that did not request an original or copy of the transcript may also review the transcript for personal identifiers and may electronically file a Transcript Redaction Request within this same twenty-one (21) day period.

The responsibility for redacting personal identifiers rests solely with counsel and the parties and neither the court reporter nor court staff are responsible to independently redact information from the case unless there is a redaction request by a party to the case. The parties will be charged no fee for redactions made by a court reporter.

(c) Requests to Redact Other Information. Requests to redact any information other than the personal identifiers listed in Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1 must be made by motion within twenty-one (21) days after the date on the Notice of Electronic Filing of a Transcript.

(d) Failure to Submit Transcript Redaction Request. The failure to file a Transcript Redaction Request within the designated twenty-one (21) day period will result in a presumption that the redaction of personal identifiers is not necessary and the original transcript will be made available at the clerk's office and by remote Internet access through PACER as set forth below.

(e) Electronic Filing of Redacted Transcripts. If a Transcript Redaction Request is timely made or a motion to redaction additional information is granted, a redacted transcript shall be

filed conventionally in the clerk's office as well as electronically in CM/ECF within thirty-one (31) days after the original transcript was filed with the court.

(f) Public Access to Transcripts. For a period of ninety (90) days following the filing of an original transcript, only Filing Users who purchased an original or a copy of the transcript will be permitted remote Internet access to the transcript through PACER. The public may review, but may not copy or reproduce, the transcript in the clerk's office in paper format or in electronic format at public terminals during this initial ninety (90) day period. At the conclusion of this initial ninety (90) day period, unless extended by court order, the public will be permitted to copy or reproduce the transcript in the clerk's office and will be permitted remote Internet access to the transcript through PACER. If a redacted transcript is filed, the original transcript will remain available to the parties in the case but will not be otherwise made available to the public at the clerk's office or through PACER. Persons accessing transcripts using PACER, including both Filing Users who purchased the transcript and other members of the public, will be assessed a PACER user fee in accordance with 28 U.S.C. § 1914.

(g) Electronic Signatures. An electronically signed transcript shall have the same force and effect as a paper transcript containing an original signature and certification stamp. An electronically signed transcript shall include, but is not limited to, the signatories name (i) preceded by a "/s/", or (ii) inserted in the document as an imaged or digital signature.

4.23 (b) Transcripts of Court Proceedings in Other Courts ~~from other Courts.~~

A transcript of a proceeding of another court shall be electronically filed in PDF format if available. If the transcript is not available in PDF format, then it shall be conventionally filed.

5.2 Internet Access

The public may use a PACER log-in and password to obtain remote electronic access to the electronic docket and documents at the court's Internet site (www.nhd.uscourts.gov) or directly at <http://ecf.nhd.uscourts.gov>. ~~Documents in civil asset forfeiture and social security cases shall be limited to counsel of record and shall not be available to the general public by remote Internet access.~~ A user fee for accessing court information through PACER will be assessed in accordance with 28 U.S.C. § 1914.

6.2 Registration

(a) **Form.** ~~Registration will be on a form prescribed by the clerk's office.~~ Attorneys shall register using the court's Internet site (www.nhd.uscourts.gov). Pro se litigants shall register using a paper registration form prescribed by the clerk's office and the form shall be attached to a motion for permission to become a Filing User.

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